

PLANNING COMMISSION AGENDA SPECIAL MEETING MONDAY, MARCH 26, 2018 STUDY SESSION – 4:30 P.M. – CITY COUNCIL CHAMBERS SPECIAL MEETING – 5:00 P.M. – CITY COUNCIL CHAMBERS

- 1. Call to Order.
- Roll Call.

NEW BUSINESS

- 3. Consider a request of Dodd Engineering, on behalf Borisow Properties LLC, owners of approximately 11.06 acres described as Lots 1 and 2, Lincoln Park First Subdivision, Fremont, Dodge County, Nebraska, and more generally located at 2581 N. Lincoln Avenue, for approval of a Final Plat to be known as the Replat of Lot 2 into 8 separate Lots and take the corner out of Lot 1, and add to proposed Lot 4, for property to hereinafter be known as Lincoln Park Second Subdivision.
 - Staff report
 - Commission discussion and recommendation
- 4. Consider a request of Danny Martinez, on behalf of YMCA, owners of approximately 133.7 acres described as part of the North ½ of Section 17, Township 17 North, Range 8 East of the 6th P.M., Dodge County, Nebraska for a Final Plat known to be as YMCA Camp Subdivision.
 - Staff report
 - Commission discussion and recommendation
- 5. Adjournment.

THIS MEETING WAS PRECEDED BY PUBLICIZED NOTICE IN THE FREMONT TRIBUNE, THE AGENDA DISPLAYED IN THE LOBBY OF THE MUNICIPAL BUILDING AND POSTED ONLINE AT www.fremontne.gov IN ACCORDANCE WITH THE NEBRASKA OPEN MEETINGS ACT, A COPY OF WHICH IS POSTED CONTINUALLY IN THE COUNCIL CHAMBERS FOR PUBLIC INSPECTION, AND SAID MEETING IS OPEN TO THE PUBLIC. A COPY OF THE AGENDA WAS ALSO KEPT CONTINUALLY CURRENT AND AVAILABLE TO THE PUBLIC IN THE PRINCIPLE OFFICE OF THE DEPARTMENT OF PLANNING, 400 EAST MILITARY AVENUE. THE PLANNING COMMISSION RESERVES THE RIGHT TO ADJUST THE ORDER OF ITEMS ON THIS AGENDA.

Staff Report

TO: Planning Commission

FROM: Don Simon, Building Official

DATE: March 26, 2018

SUBJECT: Final Plat – Lincoln Park Second Subdivision

Recommendation: move to recommend conditionally approving upon the maximum street frontage being amended by both the Planning Commission and City Council at a future date.

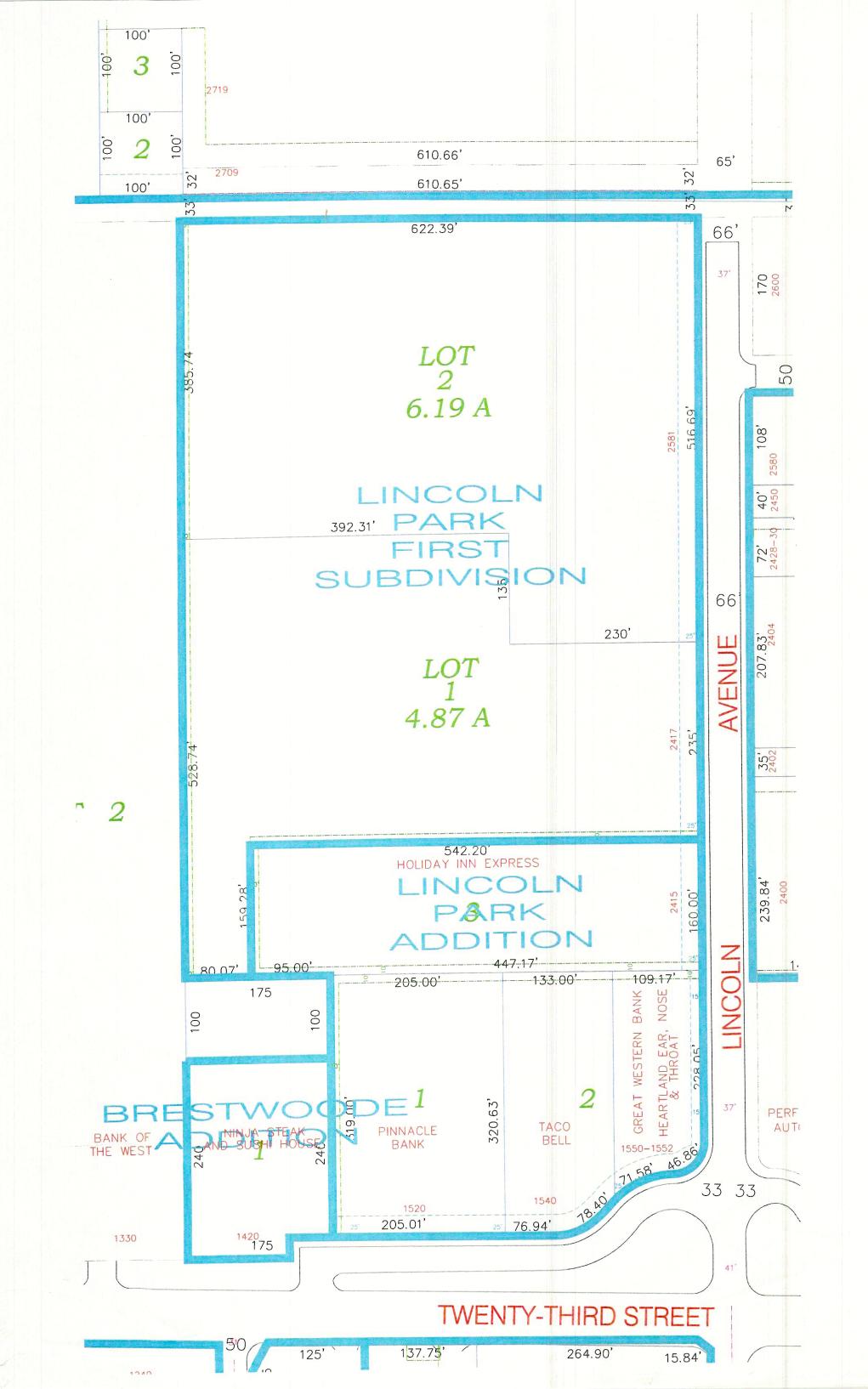
Background: The agent for the owner of approximately 11.06 acres, located at 2581 North Lincoln Avenue, Dodd Engineering & Surveying, LLC, is requesting approval of a Final Plat to be known as the Lincoln Park Second Subdivision. The reason for the request is that the site is pending development.

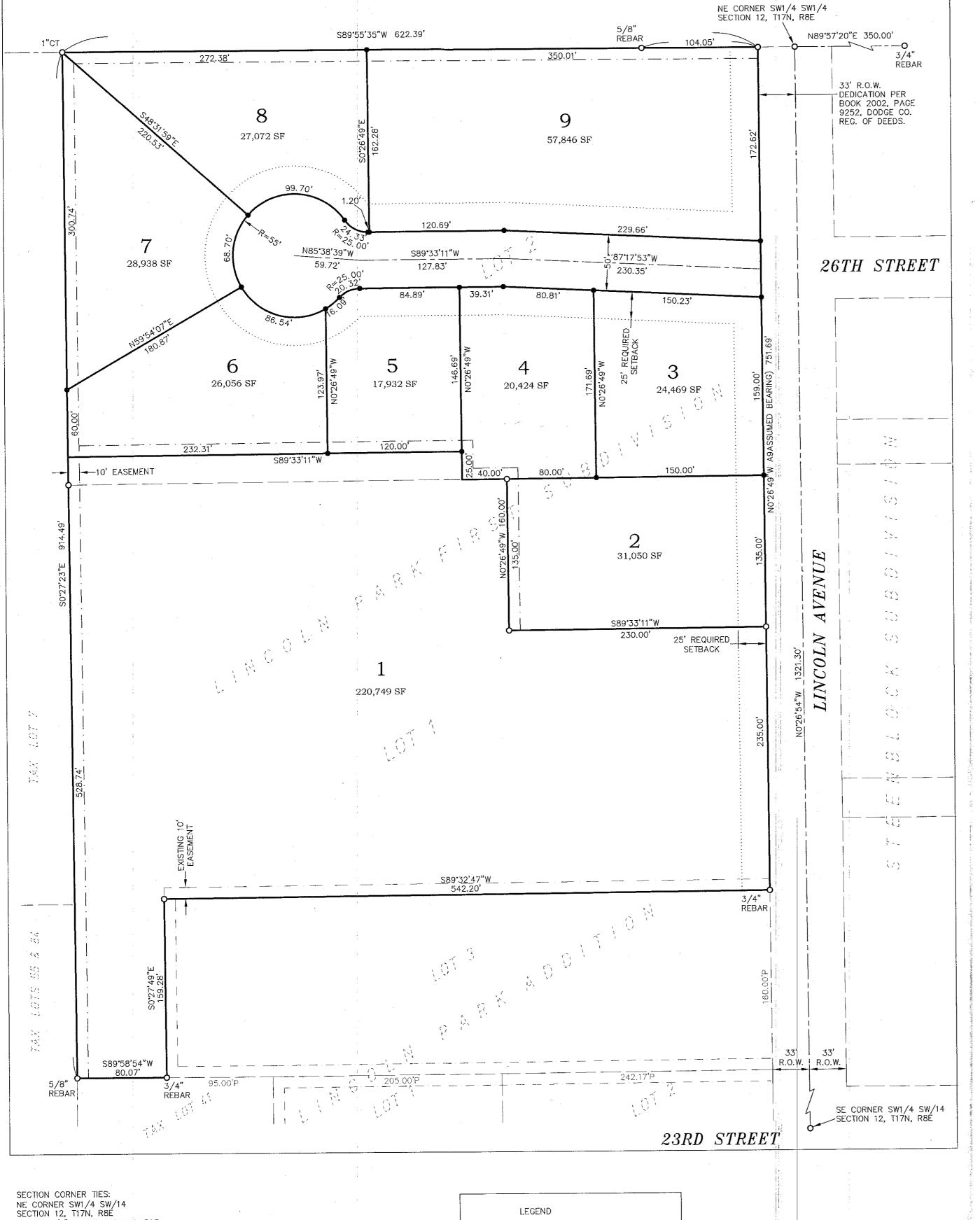
This is part of land being Lots 1 and 2 Lincoln Park First Subdivision, and replatting Lot 2 into 8 separate Lots and to take the corner out of Lot 1 and adding to proposed Lot 4.

Since the table for maximum street frontage of nonresidential and mixed use develops was continued by the planning commission, staff recommends City Council conditionally approve the final plat upon the maximum street frontage being amended approved by both the Planning Commission and City Council at a future date.

The proposed plat appears to meet all state and local requirements for subdivisions.

Fiscal Impact: N/A



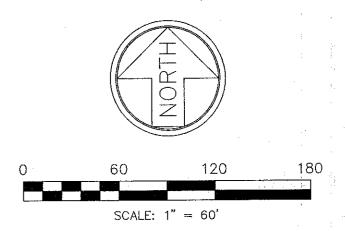


FINAL PLAT OF

LINCOLN PARK SECOND SUBDIVISION

IN THE CITY OF FREMONT, NEBRASKA

LOTS 1 AND 2, LINCOLN PARK FIRST SUBDIVISION, FREMONT, DODGE COUNTY, NEBRASKA.



LEGAL DESCRIPTION:

LOTS 1 AND 2, LINCOLN PARK FIRST SUBDIVISION, FREMONT, DODGE COUNTY, NEBRASKA.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT BORISOW PROPERTIES, LLC, BORIS BORISOW, MEMBER; OWNER AND PROPRIETOR OF THE TRACTS OF LAND SHOWN AND DESCRIBED HEREON, HAS CAUSED THE SAME TO BE DIVIDED INTO LOTS, SAID SUBDIVISION TO BE KNOWN AS LINCOLN PARK SECOND SUBDIVISION, THE LOTS TO BE NUMBERED AS SHOWN AND APPROVES OF THE DISPOSITION OF THE PROPERTY AS SHOWN ON THIS PLAT AND HEREBY DEDICATES TO THE PUBLIC FOR PERPETUAL PUBLIC USE THE STREET TO BE KNOWN AS 26TH STREET, AT THE LOCATION AND TO THE WIDTH SHOWN HEREON AND HEREBY GRANTS PERPETUAL EASEMENTS AT THE LOCATIONS AND TO THE WIDTHS SHOWN HEREON TO THE CITY OF FREMONT, ANY PUBLIC OR PRIVATE UTILITY COMPANY, AND FOR THE USE OF ABUTTING PROPERTY OWNERS, FOR THE SOLE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF UTILITY LINES AND PIPES AND DRAINAGE FACILITIES. NO PERMANENT BUILDING OR RETAINING WALL SHALL BE PLACED IN THE ABOVE DESCRIBED EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN GRANTED.

IN WITNESS WHEREOF, I DO HEREBY SET MY HANDS THE

_____, DAY OF ______, 20____, A.D.

BORIS BORISOW, MEMBER BORISOW PROPERTIES, LLC

ACKNOWLEDGMENT

STATE OF NEBRASKA)

COUNTY OF DODGE)

ON THIS ______ DAY OF ______, A.D. 20____, BEFORE ME, A GENERAL NOTARY PUBLIC, PERSONALLY APPEARED BORIS BORISOW, MEMBER OF BORISOW PROPERTIES, LLC, WHO IS KNOWN TO ME TO BE THE IDENTICAL PERSON WHOSE NAME APPEARS ON THE FOREGOING DEDICATION, AND WHO HEREBY ACKNOWLEDGES THE SIGNING OF SAID INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND OFFICIAL SEAL DATE LAST AFORESAID.

GENERAL NOTARY PUBLIC

COMMISSION EXPIRES

PLANNING COMMISSION APPROVAL

ON THIS _____ DAY OF _____ A.D. 20___, THIS PLAT OF LINCOLN PARK SECOND SUBDIVISION WAS APPROVED AND ACCEPTED BY THE PLANNING COMMISSION OF THE CITY OF FREMONT, DODGE COUNTY,

CHAIR

CITY COUNCIL ACCEPTANCE

ON THIS _____ DAY OF _____ A.D. 20___, THIS PLAT LINCOLN PARK SECOND SUBDIVISION WAS APPROVED AND ACCEPTED BY RESOLUTION OF THE CITY COUNCIL THE CITY OF FREMONT, DODGE COUNTY, NEBRASKA.

MAYOR

CLERK

NE CORNER SW1/4 SW/14
SECTION 12, T17N, R8E
FOUND 3/4" REBAR WITH LS-503
SE 48.95' TO TOP NUT ON FIRE HYDRANT
SSW 20.55' TO CENTER OF MANHOLE LID
WSW 10.47' TO CENTER OF MANHOLE LID
SW 53.14' TO PK NAIL ON TOP OF CURB
SE 52.94' TO PK NAIL ON TOP OF CURB
NW 41.25' TO "X" SAWED ON SW CORNER OF BOX CULVERT

SW CORNER SE1/4 SW/14
SECTION 12, T17N, R8E
FOUND CHISELED "X" IN CONCRETE
NE 46.91' TO CHISELED "X" IN TRAFFIC SIGNAL BASE
SE 78.06' TO CENTER OF NW BOLT OF TRAFFIC SIGNAL BASE
WNW 56.93' TO CENTER OF MANHOLE LID ON CURB INLET
NW 48.20' TO "X" NAILS IN POWER POLE

NOTE: TAX LOT NUMBERS ARE FROM DODGE COUNTY GIS WORKSHOP WEBSITE AND ARE SUBJECT TO THEIR DISCLAIMER.

DEEDED DISTANCE

LEGEND

FOUND POINT (LS-503 CAPPED REBAR UNLESS OTHERWISE NOTED)

SET 3/4" REBAR W/LS-503 CAP

CT CLOSED TOP PIPE

A ACTUAL MEASURED DISTANCE

R RECORD DISTANCE

D DEEDED DISTANCE

LOT LINE

EXISTING LOT LINE

SECTION LINE

EASEMENT

SETBACK



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY AS THE UNDERSIGNED REGISTERED LAND SURVEYOR, THAT I HAVE SURVEYED THE TRACT OF LAND SHOWN AND DESCRIBED HEREON, AND THAT PERMANENT MARKERS HAVE BEEN FOUND OR WILL BE SET AS DESCRIBED HEREON, WITHIN 60 DAYS OF THE FILING OF THIS PLAT AT THE DODGE COUNTY REGISTER OF DEEDS OFFICE.

STEPHEN W. DODD, LS-503

LINCOLN PARK SECOND SUBDIVISION IN THE CITY OF FREMONT, NEBRASKA.

FINAL PLAT

Staff Report

TO: Planning Commission

FROM: Don Simon, Building Official

DATE: March 26, 2018

SUBJECT: Final Plat – 3501 W Hwy 30

Background: The Planning Commission recommended approval of the Final Plat of a previously unplatted tract of land, consisting of 134.9 acres located at 3501 W. Hwy 30, on 11/16/2015, and the City Council approved the Final Plat on 11/24/2015.

The property is zoned both R Rural and GC General Commercial. The two (2) lots being proposed meet or exceed the minimum area [three (3) acres and six thousand (6,000) square feet, respectively] and width [two hundred (200) feet and fifty (50) feet, respectively] requirements for lots in R and GC zoning districts. The lots front along a public right-of-way [W Hwy 30 and W Military Ave.], and are served by all necessary utilities.

The proposed plat appears to meet all state and local requirements for subdivisions.

The Surveyor brought in the Final Plat with a slightly amended legal description. The acres are now 133.66 (rounded to 133.7 acres). The Final Plat will be known as YMCA Camp Subdivision. Since it has been more than two years since this was approved by the City Council and the legal description was slightly amended, City Staff was instructed to bring this item back to the Planning Commission and City Council for approval of the Final Plat.

Fiscal Impact: N/A

Staff Report

TO:

Mayor and City Council

FROM:

Troy Anderson, Director of Planning

DATE:

November 24, 2015

SUBJECT:

Final Plat - 3501 W Hwy 30

Recommendation: Move to approve the resolution.

Background: The agent for the owner of approximately 134.9 acres located at 3501 W Hwy 30, Apex Land Surveying, Inc., is requesting approval of a Final Plat to be known as YMCA Camp Subdivision. The reason for the request is to adjust internal boundary lines and plat previously unplatted tracts of land.

The property is zoned both RR Rural Residential and GC General Commercial. The two (2) lots being proposed meet or exceed the minimum area [three (3) acres and six thousand (6,000) square feet, respectively] and width [two hundred (200) feet and fifty (50) feet, respectively] requirements for lots in RR and GC zoning districts. The lots front along a public right-of-way [W Hwy 30 and W Military Ave.], and are served by all necessary utilities. The proposed plat appears to meet all state and local requirements for subdivisions.

By a vote of 7-0, the Planning Commission recommended approval of the Final Plat at its regularly scheduled meeting November 16, 2015.

Fiscal Impact: N/A

#15

RESOLUTION N	10		

A RESOLUTION OF THE CITY OF FREMONT, NEBRASKA, APPROVING THE REQUEST TO PLAT APPROXIMATELY 134.9 ACRES, LOCATED AT 3501 WEST HIGHWAY 30 TO BE KNOWN AS THE YMCA CAMP SUBDIVISION.

- WHEREAS, the owners of approximately 134.9 acres, generally described as part of the N1/2, Section 17, Township 17 North, Range 8 East, of the Sixth P.M., Dodge County, Nebraska wishes to subdivide said tract; and
- WHEREAS, *Neb. Rev. Stat.* §19-916 enables the local legislative body by ordinance to provide the manner, plan, or method by which land within the corporate limits of any such municipality, or land within the area designated by a city of the first class, may be subdivided, platted, or laid out, including a plan or system for the avenues, streets, or alleys to be laid out within or across the municipality and to require the owners of land to conform to such plans and other requirements of the ordinances; and
- WHEREAS, Section IX of the City's Subdivision Ordinance requires a final plat to be prepared and submitted to the Planning Commission for recommendation and then to City Council for approval; and
- WHEREAS, the Planning Commission heard the request for approval of the Final Plat on November 16, 2015, at which time the Commission unanimously recommended in favor of the request;

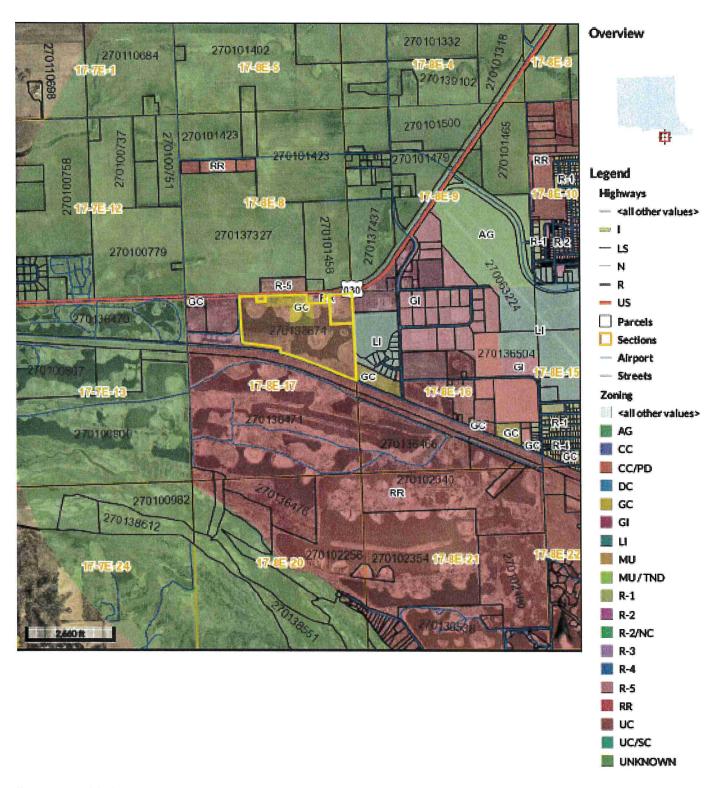
 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA,

 AS FOLLOWS: That the City of Fremont does hereby approve the Final Plat of approximately 134.9 acres to be

AS FOLLOWS: That the City of Fremont does hereby approve the Final Plat of approximately 134.9 acres to be known as YMCA Camp Subdivision.

PASSED AND APPROVED THIS THE	_ DAY OF	, 2015.
ATTEST:	Scott Getzschman, Mayor	
Robin White Interim City Clerk		

Beacon[™] Dodge County, NE



Date created: 11/13/2015 Last Data Upload: 11/12/2015 11:59:53 PM



CITY COUNCIL MEETING November 24, 2015 7:00 p.m.

After the Pledge of Allegiance and study session, the Mayor called the meeting to order and stated a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Roll call showed Council Members Johnson, Legband, Landholm, Schaller, Bixby, Kuhns and Eairleywine present, Anderson absent – 7 present, 1 absent.

Moved by Council Member Kuhns seconded by Council Member Legband to approve items 4 through 20 and item 22 of the consent agenda. Roll call vote: 7 ayes. Motion carried.

- Dispensed with and approve November 10, 2015 minutes
- Approved November 11 24, 2015 claims
- Received Balance Sheet by Fund and Statement of Revenues & Expenditures for September 2015
- Approved Cement work/asphalt/excavate license application of Thompson Construction, Inc. and Kelly G. Thompson
- Resolution 2015-225 approving new Liquor License Application of Wine Experience, LLC.
- Resolution 2015-212 allowing Fire Department to accept grant fund award from American Heart Association Mission Lifeline Nebraska for life saving equipment
- Resolution 2015-213 approving request to consume alcohol on City property, Erika DelaSancha, Christensen Field, October 15, 2016, Quinceanera
- Resolution 2015-214 approving Parks and Recreations new facility rates
- Resolution 2015-215 accepting the completed City Auditorium needs assessment and renovation study
- Resolution 2015-216 for Final Acceptance and approval of final payment for the Lincoln Avenue Box Culvert Project.
- Resolution 2015-217 authorizing Chief Elected Official to sign the Housing Administration Contract and Subrecipient Agreement between the City of Fremont and the Northeast Nebraska Economic Development District (NENEDD) for the Nebraska Affordable Housing Trust Fund (NAHTF) project #15-TFHO-15038 Owner Occupied Rehabilitation.
- Resolution 2015-218 approving request of Apex Land Surveying, LLC, on behalf of YMCA, owner of approximately 133.7 acres located at 3501 W Hwy 30, for a Final Plat to be known as YMCA Camp Subdivision, Dodge County, Nebraska
- Resolution 2015-219 approving request of Apex Land Surveying, LLC, on behalf of International Spices, LTD, owner of approximately 10.0 acres located at 1040 Lucius Rd., for a Final Plat to be known as a Replat of Lots 1 & 2, Hochstein Subdivision, Dodge County, Nebraska
- Resolution 2015-220 approving request of Dodd Engineering & Surveying, LLC, on behalf of Thomas and Evelyn McKnight, owners of approximately 0.7 acres located at 415 E 23rd St., for a Final Plat to be known as McKnight Medical Subdivision, Dodge County, Nebraska
- Resolution 2015-221 approving request of Dodd Engineering & Surveying, LLC, on behalf of Logger Investments, LLC, owner of approximately 13.3 acres located at 714 S Main St., for a Final Plat to be known as Logger Subdivision, Dodge County, Nebraska
- Resolution 2015-222 authorizing execution of Intergovernmental Agreement with Nebraska Department of Environmental Quality (NDEQ) for Storm Water Management
- Consider outside City limits water connection and plastic pipe variance request for 2601 Christensen Rd

 Resolution 2015-223 levying a special tax and assessment against 437 West 4th to pay the costs of weed and debris removal

Moved by Council Member Eairleywine, seconded by Council Member Legband to approve appointment of Tyler Ficken as new City Clerk effective December 14, 2015. Roll Call Vote. 7 ayes. Motion Carried.

Moved by Council Member Schaller, seconded by Council Member Kuhns to approve Resolution No. 2015-224 accepting airport terrorism insurance. Roll Call Vote. 7 ayes. Motion Carried.

The City Clerk gave the second reading, by title only, of the Ordinance amending Chapter 9 of the Fremont Municipal Code pertaining to Building and Property Maintenance Regulations including General Contractor registration and Subcontractor licensing and examination regulations.

Moved by Council Member Bixby, seconded by Council Member Landholm to amend the language of the Ordinance and postpone the third reading until December 29, 2015 so discussions may continue at the December 8, 2015 Meeting pertaining to amending Chapter 9 of the Fremont Municipal Code pertaining to Building and Property Maintenance Regulations including General Contractor registration and Subcontractor licensing and examination regulations. Roll call vote: 7 ayes. Motion carried. The third reading will be on December 29, 2015

The City Clerk gave the third reading by title only of an Ordinance to approve a request of John Schlumberger on behalf of Robert Schlumberger to rezone approximately 50.0 acres located at 4130 Luther Rd. for from AG Agricultural to LI Limited Industrial. Roll call vote: 3 ayes, 4 nay, Council Members Eairleywine, Landholm, Johnson and Schaller each voting nay. Motion failed.

Moved by Council Member Bixby, seconded by Council Member Kuhns to postpone the third reading until staff is ready and no date certain pertaining to the third reading of an Ordinance to approve a request of Interstate Commodities, Inc., on behalf of Frontier Cooperative, owner of approximately 12.0 acres located at 549 E. Co. Rd. to rezone from AG Agricultural to GI General Industrial. Roll call vote: 7 ayes. Motion carried.

The City Clerk gave the third reading by title only of an Ordinance to approve a request of Apex Land Surveying, LLC, on behalf of Rodger & Debra Menn, owners of approximately 8.0 acres located at 361 W. Co. Rd. T, to rezone from AG Agricultural to LI Limited Industrial. Before the vote, it was Moved by Council Member Legband, seconded by Council Member Bixby to postpone the third reading until staff is ready and no date certain pertaining to the third reading of an Ordinance to approve a request of Apex Land Surveying, LLC, on behalf of Rodger & Debra Menn, owners of approximately 8.0 acres located at 361 W. Co. Rd. T, to rezone from AG Agricultural to LI Limited Industrial. Roll call vote: 4 ayes, Council Members Johnson, Landholm and Schaller voting 3 Nay. Motion carried.

Because the City Clerk had given the third reading by title only of an Ordinance to approve a request of Apex Land Surveying, LLC, on behalf of Rodger & Debra Menn, owners of approximately 8.0 acres located at 361 W. Co. Rd. T, to rezone from AG Agricultural to LI Limited Industrial a Roll call vote was had on the third reading of the Ordinance. Roll call vote: 1 ayes, 6 nay, Council Members Eairleywine, Landholm, Johnson, Kuhns, Bixby and Schaller each voting nay. Motion failed

Moved by Council Member Bixby, seconded by Council Member Johnson to amend the Ordinance to approve a recommendation for approval of a boundary line adjustment, removing all lots and tracts in Saunders County from the City's extraterritorial jurisdiction and for an effective date of January 1, 2016. 7 ayes. Motion carried

The City Clerk gave the third reading by title only of Ordinance 5354 to approve a recommendation for approval of a boundary line adjustment removing all lots and tracts in Saunders County from the City's extraterritorial jurisdiction and for an effective date of January 1, 2016. 7 ayes. Motion carried.

Moved by Council Member Legband, seconded by Council Member Eairleywine to approve Resolution No. 2015-226 authorizing continuation of Sewer District SD-703-15. Roll Call Vote. 7 ayes. Motion Carried.

Moved by Council Member Johnson, seconded by Council Member Eairleywine to go into executive session for the purpose of discussing a strategy with respect to threatened litigation and for the further reason that the executive session is necessary for the protection of the public interest. The Mayor stated a motion had been made and seconded to go into executive session for the purpose of discussing a strategy session with respect to threatened litigation and for the further reason that the executive session is necessary for the protection of the public interest and asked for discussion. There being none, the Mayor stated the pending motion was to go into executive session for the purpose of discussing a strategy session with respect to threatened litigation and for the further reason that the executive session is necessary for the protection of the public interest. Roll call vote: 7 ayes. Motion carried.

The Mayor stated a motion to go into executive session purpose of discussing a strategy session with respect to threatened litigation and for the further reason that the executive session is necessary for the protection of the public interest had been approved. Discussion will be limited to a strategy session with respect to threatened litigation. No official actions or votes will be taken during the executive session. Time in: 8:26 p.m.

Moved by Council Member Johnson, seconded by Council Member Kuhns to come out of executive session. Roll call vote: 7 ayes. Motion carried. Time out: 8:43 p.m.

Moved by Council Member Schaller seconded by Council Member Kuhns to adjourn the meeting. Roll call vote: 7 ayes. Motion carried. Meeting adjourned at 8:45 p.m.

I, Robin White, the undersigned City Clerk, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by the members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meeting and the subjects to be discussed at said meeting and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Robin White, Interim City Clerk

